

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

UNITED STATES OF AMERICA

v.

**CRIMINAL NO. 1:22-cr-16-TBM-BWR
CIVIL ACTION NO. 1:24-cv-307-TBM**

BYRON LAKEITH WILLIAMS

ORDER


Defendant Byron Lakeith Williams filed a Motion to Vacate [123] under 28 U.S.C. § 2255 in which he alleges that he received ineffective assistance of counsel. Before considering the Motion to Vacate, the Court finds that Williams' former defense counsel should be required to respond to his allegations via affidavit.

IT IS THEREFORE ORDERED AND ADJUDGED that Williams' former defense counsel, W. F. Hornsby, III, shall file, within forty-five (45) days of this Order, a written affidavit responding to the allegations in Williams' Motion to Vacate [123] under 28 U.S.C. § 2255. The Government is directed to furnish the above-referenced attorney with a copy of this Order and Williams' Motion to Vacate [123], if Williams' former defense counsel has not received them from the Clerk of Court.

IT IS FURTHER ORDERED AND ADJUDGED that Williams has waived his right to claim attorney-client privilege in regard to these proceedings.

IT IS FURTHER ORDERED AND ADJUDGED that the Government shall file its response to Williams' Motion to Vacate [123] within thirty (30) days from the filing of Williams' former defense counsel's affidavit.

This, the 25th day of October, 2024.



TAYLOR B. McNEEL
UNITED STATES DISTRICT JUDGE